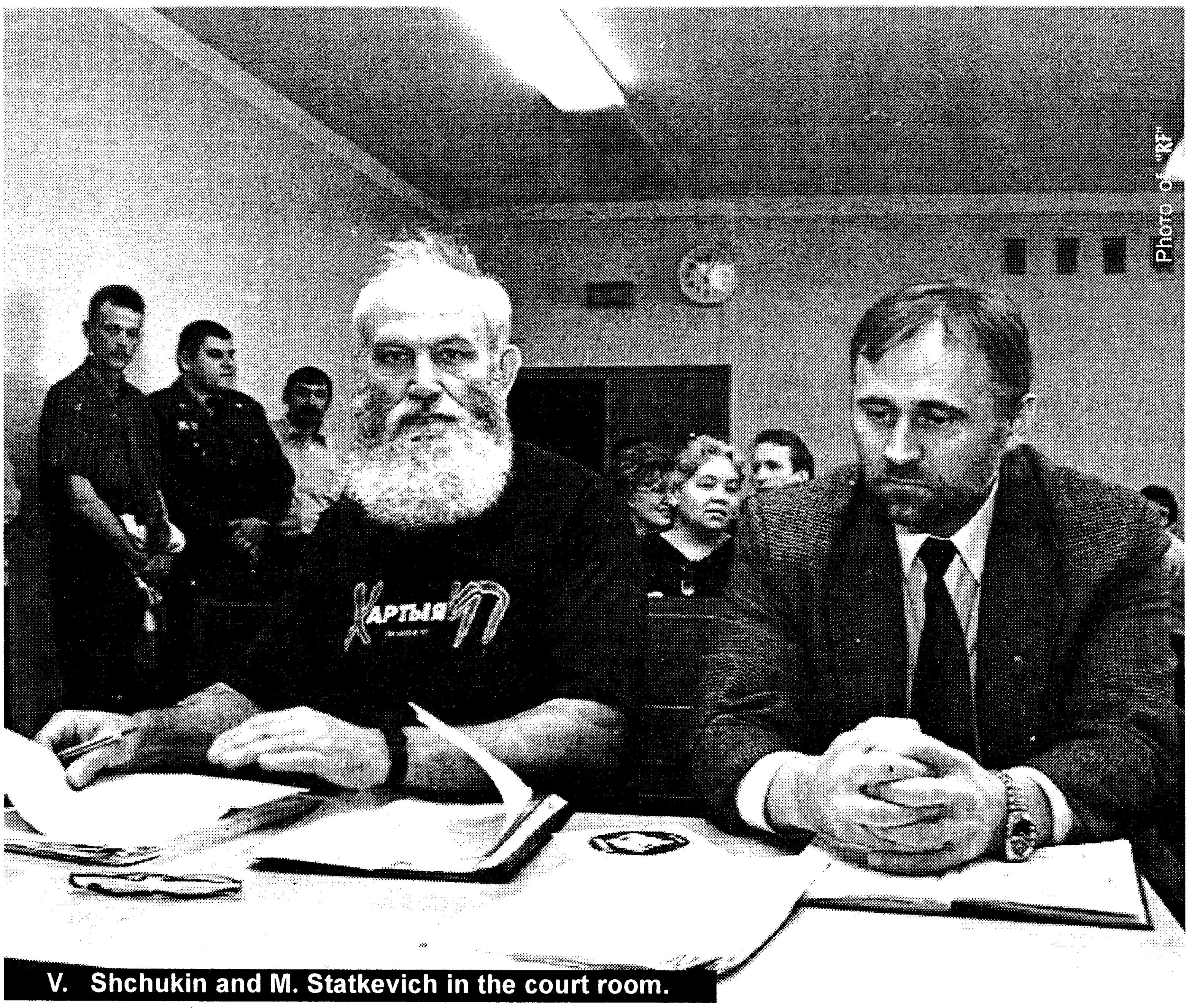
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The Right to Freedom

The Bulletin of the Human Rights Centre "Viasna"



V. Shchukin and M. Statkevich in the court room.

Eight Months Under Sight

Shchukin and Statkevich's case: announcement of the sentence is postponed again.

The indecisiveness of the Belarusian judicial authorities and their obvious wish to delay the final decision on the criminal case against Mikola Statkevich and Valery Shchukin obviously witness that the judges realize what illegal actions are made with their assistance. Mikola Statkevich is the Chairman of Belarusian Social-democratic Party «Narodnaja Hramada». Valery Shchukin is the well-known journalist and human rights defender, deputy of the Supreme Soviet of 13th Convocation. This may be the reason why during the first fortnight of June the court sittings on the case were postponed four times. The same postponements were made during court considerations of Vasil Liavonaw's, Andrej Klimaw's, and Mikhail Chyhir's cases.

On June 13 the court postponed announcement of the sentence. Why was it done? Valery Shchukin thinks that it happened because the court justified the defendants. The authorities disliked it. As a result the court had to do something in order to gain some days for preparation of a new sentence. Shchukin's opinion is that the new sentence will be accusative and the defenders will be conditionally imprisoned. There can be a deal of truth in his words, because Shchukin's and Statkevich's defenders denied all the prosecutions against the accused.

By the way, Shchukin and Statkevich were accused of violation of Article 186.3 of the Criminal Code of the Republic of Belarus (organization and active participation in the actions that grossly violate the public order) for participation in the opposition action on October 17, 1999 (March of Freedom). Statkevich was also accused of organization of the opposition action on July 27, 1999 (Independence Day). Prosecutor Halina Hancharova demanded from the court to punish M. Statkevich with 2 years of imprisonment at a convict colony and Shchukin – with 1,5 years, with postponement of the sentence for 1 year. Here we should remind the readers that at first the case was brought not only against Shchukin and Statkevich, but also against four young participants of the «March of Freedom»... Then these four teenagers were excluded from the old case and included into a new one. After this they «disappeared» – asked for political asylum abroad...

In their last-word speeches Mikalaj Statkevich and Valery Shchukin stated that they considered the case against them to be initiated for political reasons. You can have a look at the excerpts from their final speeches *on page 3*.

Chronicle

On May 28 priest of Brest Catholic Church of Holy Cross Ascension Zbigniew Karolak had to leave Belarus. According to Jury Kabalik, the lawyer who represents the Church's interests, the official reasons for deportation of Zbigniew from Belarus were the warnings and the fine he had received for his stay in Brest without registration (which is required by the Belarusian laws) from March 18. But the real reason is that the city authorities disliked his public position.

On May 29 representatives of the «Belarusian Organization of Working Women» (BOWW) headed by their Chairperson, M. Alieva, went to the workplace of the deputy of so-called House of Representatives U. Kanapliow (who was absent at that time) being escorted by the camera group of «Taciana» studio. After the argument the women had with Alaksander Ahejew, the Chairman of Shklow District Executive Committee in the Kanapliow's reception-room, they were assaulted by the journalist of Shklow newspaper «Udarnyi Front» (the name of the newspaper can be translated as «Shock-working Front» or «Beating Front») Mikhail Babok. Then a fight began and the Chair of the local BOWW organization L. Kaverka ran to call for the police. In the evening she was detained by the police in her flat. During interrogation procedure Lubow Kaverka was told that M. Babok had accused her of infliction of bodily injury. At the trial the judge A. Tarakanaw satisfied Kaverka's petition concerning drawing of additional witnesses and admission of her representative Uladzimir Adynets to the court procedure... The date of the next court sitting will be announced later.

(to be continued on pp. 6-7)

He Drank Only A Cup of Water...

Are Psychotropic Drugs Used Towards Arrested People?

On June 5, 2000 Natalla Rawkova applied to "Viasna". Her husband, pro-rector of Homiel Medical Institute, is accused of violation of Article 169.3 of the Belarusian Criminal Code (bribery made by an official or a person who has been already judged for bribery, or big-scale bribery). N. Rawkova states that the investigation used psychotropic drugs towards her husband.

Uladzimier Rawkow, born in 1952, lieutenant-colonel of the medical service, education pro-rector of Homel Medical Institute, was detained on July 12, 1999 on suspicion of having received a bribe from parents of the people who wanted to enter the institute. The detention took place at the territory of the institute, in the garage, which Rawkow rented there. The police blocked his car and pulled Uladzimier out of it. On the same day at 8 p.m. people with machine-guns burst into Rawkow's flat. One of them demanded from N. Rawkova to show all the money in foreign currency the family kept in the house. She showed them $10 000 which her mother profited from the sale of the house in the military town Ziabrawka where the Rawkovs had lived till September 1998. The papers witnessing the bargain were registered in Homiel District Notary Office on September 4, 1999.

Natalla Rawkova, who also has medical education, is sure that psychotropic drugs were used towards him. She gives the following examples: "From 0.45 to 2.35 a.m. on July 14 our hostel rooms were again routed. The policemen found nothing. Then one of them called me to the telephone and said that I would speak to my husband. I recognized my husband's voice, but its monotonousness and the content of the conversation frightened me. He said: "Give them the money and the gun with the bullets". My husband had a registered gas gun. He kept it in his safe and sometimes took it with him into the car. There were no guns in our flat and everybody knew it. After this phrase I started to think that something had happened to my husband. I burst into hysteria. After this the police went away. Next day I tried to discuss this talk with the investigator V. Kruhlakow, who told me to forget about it. On July15 the police were to come up with the official accusation. I was at the Prosecutor's office together with my husband's attorney. Occasionally I saw there my husband, who was in the corridor together with a policeman. I tried to speak to my husband, but he didn't understand me, his reaction was slow and inadequate. On July 16 I applied to the regional Prosecutor and to investigator Alaksandraw asking them to examine the psychical health of my husband. They didn't respond. On August 12 I directed a complaint to the Prosecutor of the Republic of Belarus, concerning the possible usage of psychotropic drugs towards my husband.

Two weeks later I had a meeting with my husband. He was again a normal man with usual behavior. When I asked him about his words about the gun, he refused having said that. Then he said that he had been interrogated from 2.00 p.m. on July 13 to 3 a.m. on July 14.

(Continued on page 7)

Supreme Court Corrects Mistakes

The Supreme Court of the Republic of Belarus abolished the sentences made by two judges in the town Barysaw (Miensk region) on the two cases against the leader of Barysaw Social-Democrats Alaxandr Abramovich. One of the cases was closed, another one was directed for reconsideration by another judge. The workers of Detention Center of Barysaw Main Board of Internal Affairs, who had put Abramovich into the same cell with people suffering from tuberculosis, were punished.

After he spent 15 days in prison for organization of an unauthorized picket against the accusative sentence given to M. Chyhir, the leader of Barysaw Social-Democrats Aliaxandr Abramovich came to the Human Rights Center «Viasna». He provided «Viasna» with the documents, showing that the Supreme Court had abolished the two accusative sentences given to him by Barysaw judges.

On May 22, 2000 the Supreme Court with V.A. Sukala at the head abolished the sentence of Barysaw Town Court made on February 3, 2000 (Abramovich was sentenced to 15 days of administrative imprisonment for organization of an unauthorized picket against the dictatorship in Belarus and for the immediate investigation of disappearances of well-known Belarusian opposition activists) and closed the administrative case. As it is said in the statement of the Supreme Court there were the following reasons for such decision: 1. The person who is administratively punished should learn the case materials; Abramovich wasn't given any possibility to do this. 2. It wasn't specified in the protocol of infringement which part of Article 167 of the Code of Administrative Infringements (CAI) Abramovich had violated. So, there was no reference to the normative act that regulates the administrative responsibility. The judge should have returned the protocol for correction of its defects to the official or the body who had composed it. The judge should also have made a statement concerning these defects. Neither of the actions were taken. 3. The protocol should have been corrected in 2 months (according to Article 37 of CAI). Now the time is over. So, the sentence is abolished and the case is stopped.

The same day the court considered Abramovich's complaint concerning the sen-tence he had received on February 15, 2000 for organization of an unauthorized picket against corruption and in support of Barysaw businessman Ihar Lednik on February 14. After the picket A. Abramovich was detained. At the trial on February 15 two administrative cases against Abramovich were considered: one of them was brought for organization of the unauthorized picket on February 14, another – for organization of an unauthorized picket against the war in Chechnya on February 5. In spite of the law, according to which the sentence should be made for more serious violation during simultaneous consideration of two analogous cases against one person, the judge punished Abramovich for both actions. She sentenced him to 10 days of administrative imprisonment for each of the pickets though the term of administrative imprisonment can't exceed 15 days. It is said in the statement of the Supreme Court that this sentence should be abolished. Materials of the two cases are directed for simultaneous consideration by another judge who should make a new sentence in accordance with the present legislation.

A. Abramovich also informed the Human Rights Center «Viasna» that he had received a letter from the Board of Internal Affairs of Miensk Regional Executive Committee. It is said in the letter that the workers of Barysaw Detention Center who had put Abramovich into the same cell with the people suffering from tuberculosis during his 35-days' imprisonment were punished by the Head of Barysaw Town Department of Internal Affairs.

The Information Department of «Viasna».

FREEDOM OR DEATH...

EXCERPTS FROM MIKOLA STATKEVICH'S LAST WORD

...There can be no doubts in the political nature of this trial. The accusation categorically stated it, evaluating my political activity. So, I will respond as a politician.

Unlike other European countries, only one person governs our country. It causes many problems. This man solely adopts laws, governs the Parliament, the economy, and appoints judicial authorities. As a result, other countries consider our country to be a «black sheep». This politics resulted in absence of future, perspectives for Belarus. Our economy can't stand being directed by uneducated people any more... (...)

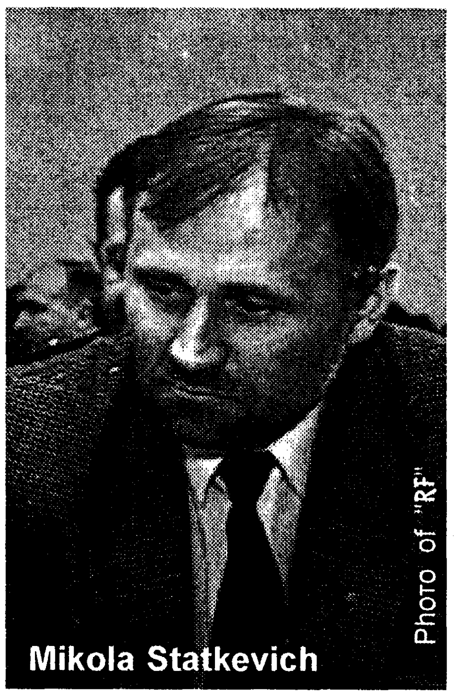
Our authorities are very afraid of discontent demonstrations. They try to hide from the facts and adopt the laws that prohibit any forms of disagreement. And this man adopts the laws. The authorities allow the people who disagree with them to show their protest in desolate parks and suburbs. They've started repression. Now they escalate it. I remember, what it all started with. At first there were small fines. People were afraid of them, but then they got over the fear. Then they started to be punished with 5, 10, 15 days in prison. It didn't stop people either. After this they were made to pay terrible fines, 150 minimal salaries. In 1997 it was equal to $100. I personally was fined such sums. Court marshals came to my house to attach my property. All this happened. Now there's the next stage of escalation – criminal persecution of action organizers.

But, in spite of the fear, the number of mass action participants increases. People realize that there are no other ways out, that they should do something because wrong people govern the country (...)

We have two problems: poverty and Chernobyl. The problems are growing. Specialists forecast that if the situation doesn't change in 10-15 years there will be only 7-8 million people in Belarus, and one fourth of them will be seriously ill.

On Sunday I was in Mahilow. Here I was told a terrible figure. For 1999 only 4% of the children born in this city were absolutely healthy, 96% were born with pathologies.

The situation develops in such a way that belonging to the radical, democratic, youth block acquires the meaning of choice of an alternative to the present country development. What will we choose: freedom, independent development, mobilization of all social forces for survival or will softly die out and the world will forget about us?


Photo of "RF"
Mikola Statkevich

We have no other way out except struggle. And we have no other forms of struggle but mass actions. We try to carry them out peacefully, making everything possible to prevent conflicts. But if the authorities want to provoke collisions, they have a lot more possibilities. And they try to use them.

I think that the struggle will go on, it doesn't matter whether I will be imprisoned or not. Because the truth is: freedom or death. I think that even such sentences, realized the way the authorities demand, will not intimidate us.

THEY WILL NEITHER INTIMIDATE US, NOR STOP!

EXCERPTS FROM VALERY SHCHUKIN'S LAST WORD

...You were made to judge political activists for... their political activity. It's a pity for the authorities that there are no political articles in the Criminal Code. But if the State Head, whose legal term ended a year ago, is still in power such articles will inevitably appear. Now the deputies who are not loyal to the present regime are deprived from political and public activity on the base of articles of the Criminal Code. (...)

I explain to the court that the State accuser in this case doesn't stand for law but only executes the political order of the highest country authorities. On the eve of the elections the law machinery carries out «exclusion» of politicians from the political life and «cleans-up» the election territory.

While watching video materials of the case, the trial participants saw the attitude of the authorities to ordinary electors. The authorities behave more violently towards the people, who pretend to political power. A possible candidate for Presidential position Henadz Karpenka was put into grave. Victar Hanchar, another candidate to this position, dangerous for the authorities, was liquidated. The court prohibited a possible candidate to the Presidential position Mikhail Chyhir to participate in the political life for eight years.

The regime also hopes to estrange the possible opposition candidates from the elections by administrative punishments. Almost all known opposition politicians received such punishments. But the authorities had to abolish the norm that the people who had been administratively punished, couldn't participate in the elections under pressure of the international community. The regime's dictator doesn't accept the honest political struggle in the form of elections. His methods are physical liquidation or criminal punishment.

Mikola Statkevich's presence in the Parliament will be very inconvenient for Lukashenka, not to mention the fact that Statkevich can make a good contender to him at the Presidential elections. Valery Shchukin's presence in the Parliament Hall isn't acceptable either. The regime doesn't admit me there even as a journalist. The authorities are very afraid that they won't manage to gain a victory over Shchukin and Statkevich in the pre-election contest. To be on the safe side, they decided to use criminal sentences in order to put us off the contest. The State accuser claims to punish M. Statkevich with two years of imprisonment in order to deprive him of the possibility to participate at the Presidential Elections in 2001. That's why the Prosecutor H. Hancharova claims to postpone execution of my punishment for two years, a term, which is longer than the term of imprisonment itself. This very detail characterizes the political nature of the claim... If the sentence execution is postponed I can be put into prison after the first administrative punishment. The reason is that neither $1000-fines nor administrative imprisonment for dozens of days has stopped me yet. And they won't stop me!

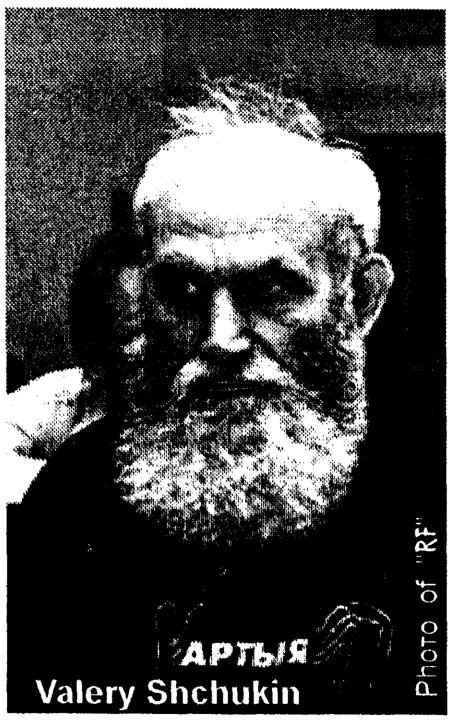


Photo of "RF"
Valery Shchukin

I tell the court, the Prosecutor's office, the police, the special services, and, what is the most important, the Belarusian people that I have been going, am going, and will be going everywhere I want, obeying only the State laws! Neither Lukashenka, nor Jarmoshyn or other officials can command me! (...)

Mikhail Chyhir: «I Will Make Everything Possible to Become President of Belarus»

Almost three weeks have passed since the day when Miensk City Court sentenced Mikhail Chyhir to three years of conditional imprisonment with postponement of the sentence execution for two years. Chyhir will also have to pay off $200 000 for the harm he ostensibly made to the State. Chyhir's case didn't end with a conditional sentence. Now he has to regularly visit the investigative committee for interrogations. Two episodes of the accusation were separated into a new case and now are being investigated.

Chyhir's wife, Julia Chyhir, also has to deal with the investigative bodies such as the Prosecutor's office. She is accused of... infliction of light bodily harm to a policeman.

People who don't know anything about this case may start thinking that it's a very bad family: the husband is a thief, his wife – a hooligan... But the experience of an ordinary Belarusian citizen shows that the most complicated and absurd accusations are given to honest people. The hardest sentences in our country are given not to murderers but to the people who don't stop proving their innocence. That's why the Belarusian prisons are not the place where «the worst» representatives of humankind are kept, but both «the worst» and «the best». Ordinary people usually don't become heroes of famous criminal cases.

From this point we'll start our narration about Mikhail Chyhir.

Prehistory

Mikahil Chyhir was Head of «Ahraprambank» when in July 1994 Lukashenka proposed to him the position of Prime Minister. First of all Chyhir expressed his surprise, because while being a deputy A. Lukashenka had mentioned him in «anti-corruption» reports. It's worth mentioning that the Parliament vice-speaker Stanislaw Shushkevich was dismissed from his position because of Lukashenka's false accusations. «Everything is all right», answered Lukashenka to Chyhir's questions. Six years passed before Chyhir publicly admitted that it was a big mistake to accept Lukashenka's proposal. In 1994 the present dictator was an unknown ex-deputy from an outlandish region, ex-Head of a Soviet collective farm. Mikhail Chyhir, as well as such agrarians as the judged Vasil Liavonaw, saw the possibility of economical reforms under the Presidential governing. The economy of the young independent country really needed reforms. But these reforms weren't made. In 1996 M. Chyhir retired from the position of Prime Minister (he was accompanied only by Minister of Work A. Sasnow).

The first response of economy towards Chyhir's retirement was disappearance of sour cream and butter from Miensk stores. I remember that absence of some foodstuffs on the eve of the «referendum» surprised Polish journalists.

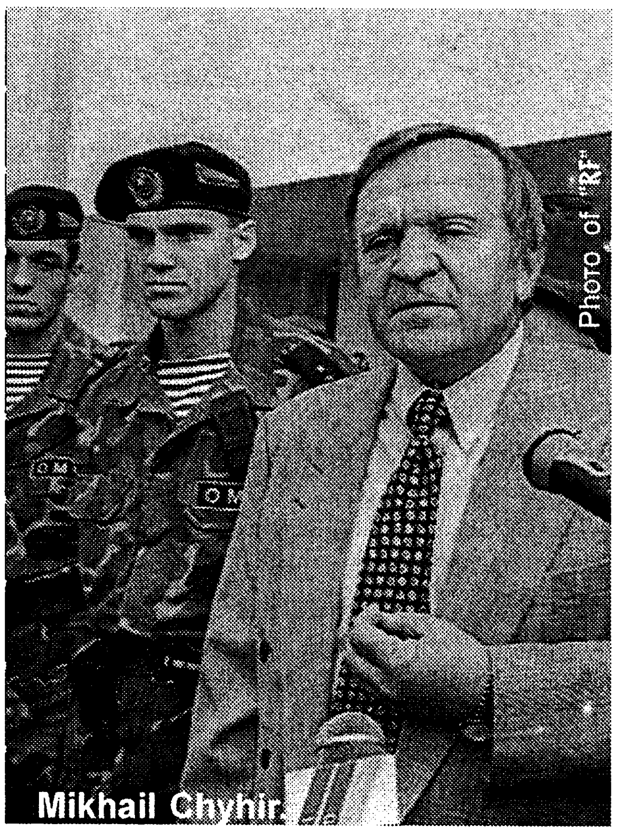
Mikhail Chyhir started to work at a Moscow bank. In 1999 he unexpectedly agreed to stand for Presidential position at the Presidential Elections organized by the opposition. After this he was imprisoned. Eight months later Chyhir was dismissed under a written recognizance. In three months his case consideration started. It lasted from February 19 to May 19. According to Chyhir, during the four months he spent outside prison there were many hints from the side of the authorities that he should leave the country. The regime wouldn't try to catch him in this case, it aims to displace every opposition leader from Belarus. Otherwise it won't survive.

And there are reasons for such strategy. People feel sympathy for Chyhir in spite of all the attempts to make a liar and a thief out of him. Chyhir, as well as Lukashenka, was born in a village and rose to the highest State positions from the very bottom. Moreover, he is well familiar with peasant work and even breeds bees. Besides, people recollect the times of Chyhir's rule when they lived better...

After Chyhir agreed to participate in the Presidential Elections the authorities started to hound him. The official mass media made a big stink around the «struggle for returning of credits». Chyhir was put into the Detention Center. The regime's propaganda started to accuse him of having illegally transferred one million dollars to a Canadian company.

«Citadel» for Journalists Is a «Corridor» for Diplomats...

From the first day the court sittings on the criminal case against Mikhail Chyhir gathered crowds of people in front of the court building. Sometimes even scandals took place. Hall 200, where opposition activists are usually judged, couldn't contain all the people who wanted to be present at the sittings. On the next floor there's hall 218. It is larger than hall 200, but neither judge Vasilevich not the court Chairman transferred the trial there. As a result of their inaction they had to call for representatives of special police forces to guard the building. At the end of January and in February the Belarusian Association



Mikhail Chyhir.

of Journalists expressed its protest and directed a complaint to Miensk City Justice Board because the journalists weren't admitted to courts. After this an operative commissioner of the board listened to journalists' complaints and promised that they would be admitted to trials. The journalists had been let in only till the day when sentence on Chyhir's case was announced.

«Unmentionable» Word «Freedom»

On May 19 the events that had taken place on January 19 repeated once again. The difference was that people didn't shout «Open trial!» on the ground floor of the court; they did it outside — the court building was surrounded by special police forces. Such solution of the issue of people's presence at the trial only made the case yet more scandalous.

The international community expressed much interest towards Chyhir's case. A number of Ambassadors and representatives of Foreign Embassies attended every court sitting. Though the authorities were strongly displeased with the fact, the diplomats were always let in. One time the judge recommended Ambassadors to... announce about their attendance of the trial in advance. To reserve places for them.

Trial and Case

The investigation accused Chyhir of violation of part 2 of Article 166, parts 1 and 2 of Article 167 and Article 168 of the Criminal Code (CC) of the Republic of Belarus. The court was to determine whether the ex-Prime Minister had really made such violations as abuse of au-

thority, excess of official powers and duty neglect.

The judicial assembly consisted of Miensk City Court judges: Vasilevich, Makarevich and Pazniak. Chyhir was defended by his wife-lawyer Julia Chyhir, attorney A. Pylchanka, public defenders: Barys Hiunter from «Viasna» and Hary Pahaniaila from the Belarusian Helsinki Committee. Prosecutor V. Zhynhel participated in the trial as accuser. M. Chyhir and his defense tried to except him from the trial because of his being personally interested in the results of Chyhir's case. During Chyhir's stay in the city under a written recognizance V. Zhynhel threatened to arrest him again. He also didn't protest against law violations made during investigation of Chyhir's case and categorically stood against participation of a well-known lawyer Hary Pahaniaila in the trial.

At the first court sittings the question of the plaintiffs' appearance in the court was being solved. The advocates immediately pointed out that State bodies couldn't participate in the trial as plaintiffs. The Ministry of Finances of the Republic of Belarus or it's branches could only confirm or dispose the legal character of the sues made. For four months the investigation interrogated about 50 witnesses. None of them gave any witness against the defendant.

Mikhail Chyhir said to journalists that he was very grateful to the witnesses: they helped to find out the truth. With their assistance there were some law violations found, but not from Chyhir's side. For instance, a very strange story happened with the loan given by «Belahraprambank» to the firm «BelOsto». According to the check-up of the Ministry of Finances of the Republic of Belarus the firm returned the major credit part, $885 000 out of $900 000, to the bank. But the investigation found that Chyhir should have... returned $416 000 as the Head of the bank.

The thing is that «BelOsto» workers brought from abroad 15 Jeeps made in Korea for Horadnia firm «Unisbel». All these cars soon disappeared in the unknown direction. So, the court had to listen to the testimony of Mr. Shpindler, a man who had been sentenced to imprisonment for having ostensibly stolen the cars. According to his words neither judges nor investigation were interested to find out who had really stolen the cars when he was judged. Shpindler told some interesting things. For instance, there were people from Horadnia branches of KGB and Ministry of Internal Affairs, and Horadnia Executive Committee among the founders and directors of «Unisbel». The Jeeps weren't found, nobody paid any taxes and the authorities decided to put the loss on Chyhir.

Chyhir himself thinks that: «investigation of this episode demonstrated a very graceless side of activity of some Horadnia officials, employees of Prosecutor's office first of all». As a matter of fact, «BelOsto» applied to the Prosecutor's office, to the police, bodies of tax investigation and KGB in order to return the cars or get money for them. None of these State bodies actually did anything. It's interesting that the bargain was made in 1994-1995 and «BelOsto» director, Mr. Shpindler, was judged for it only in 1997, after Chyhir's retirement. This fact suggests that somebody could be afraid lest the businessman should tell something against the official investigation version.

In general, the accusations that Chyhir was guilty in the fact, that big-sum credits hadn't been returned to the bank, started to fall into pieces. Some of the credits, as it was found out, had been paid off. Other episodes of the case looked very complicated at first. For instance, «Belahraprambank» gave a big credit to the firm «MST» under the guarantee of the Belarusian insurance company Belindziarzstrach, because at that time there existed a norm that insurance companies were responsible for return of the credits their clients took. Later Economy Court abolished this norm. Witness from the insurance company said that nobody had appealed to Belindziarzstrach concerning the return of the credit. One businessman has been already judged and now is kept in Shklow convict colony for the credit «MST» didn't return. The court called him to the trial as a witness. Mikhail Chyhir was afraid that the imprisoned man would say everything in exchange of his freedom. An unknown man «either an investigator or a bandit» really came to the colony and talked to the witness about his appearance at the trial. But the witness didn't fall for the provocation and said that he didn't understand the accusations the investigation had brought against Chyhir.

The most detective episode of the case seems to be the postponement of the revenue payments for wheel-tractors and refrigerators the Belarusian government and a special Parliament committee made to firm «Piask» during Chyhir's being the Head of the Cabinet.

As it had happened in the story with Jeeps, these machines also disappeared. There is no official information about their location. However, according to unofficial information of the Prosecutor's office, now they are used by the Presidential administration. In this case Chyhir ordered to postpone the revenue payments under guarantees of «Belinvestbank». But his order wasn't executed. The payments were postponed with no guarantees. The ex-prime-minister thinks that somebody made it by a telephone call without informing him. But who made it? It's up to the investigation, not to the defendant, to find out.

Trial Is Over, Case Is Not.

Mikhail Chyhir, as well as all Belarusian opposition leaders, considers this case as a political one. Moreover, the opposition often demanded Chyhir's justification as one of the conditions for them to enter negotiations with Lukashenka. As a result Lukashenka's regime made a concession: Chyhir was justified on almost all accusations except the episode with «Piask».

Three-years' imprisonment term with postponement of the sentence for two years, continuation of the investigation on two episodes of the criminal case – all these circumstances will not let Chyhir to participate in the nearest Parliamentary and Presidential Elections. Nevertheless, after the sentence was announced, Mikhail Chyhir said: «I'll make everything possible to become President of the Republic of Belarus». The authorities didn't manage to intimidate him. Moreover, Chyhir is sure that the stink the authorities made around his person has contributed to his popularity.

Julia Chyhir, wife and advocate of the political prisoner, directed to Miensk Prosecutor's office a complaint on police actions. The reason is that on May 19 the police tried to prevent her from attending the trial. A command officer of the special police forces heavily pushed her and she scratched her hand to blood. The Prosecutor's office, however, thinks that it was Julia Chyhir who inflicted bodily injure to the policeman by biting his ear. I didn't manage to find out whether the police officer had complained about this, but the General Prosecutor said that this fact resulted in initiation of a case against Julia Chyhir. The authorities can't leave the Chyhirs alone...

Taciana SNITKO.



Even the relatives weren't admitted to the courtroom...

Events Facts Comments

(Continued from page 1)

On June 5 a strike took place at Harodnia Liquor-vodka Factory. The action was initiated by the factory trade union. The workers refused to work in order to express their protest against the disastrous decrease of their salaries.

On June 5 the first vice-Chairman of the State Committee on Press V. Hlushakow warned Harodnia newspaper «Pahonia». The reason was that the newspaper had published the announcement of Young Front concerning organization of «Olympiade-2000». V. Hlushakow considers it to be a violation of Article 5 of the Law on press and other mass media. He thinks that this announcement is «distribution of information on behalf of an unregistered public association».

On June 5 the regular court sitting on the case of Valery Shchukin was to have taken place at Miensk City Court. Representatives of Foreign Embassies, journalists and the Belarusian ex-prime-minister Mikhail Chyhir came to the court to listen to Shchukin's last word. The sitting was postponed to June 8 because of the judge's illness.

On June 6 the administrative case against Chairman of Shklow branch of «The Belarusian Organization of Working Women» Liubow Kaverka, who is accused of violation of Article 156 of the Code of Administrative Infringements, was considered in Shklow.

On June 7 a specialist in telephone communication found eavesdropping equipment connected to the telephone line of Anatol Liabedzka, the Chairman of the United Civil Party, while carrying out prophylactic works. The people who connected the eavesdropper put it into the inter-floor space in order that it would not be easily found. A. Liabedzka said: «Now we have a material evidence of the things we have often spoke about». He is sure that such eavesdroppers are connected to telephone lines and put inside flats of opposition politicians, offices of parties and public organizations. By the way, the found equipment was made at a factory. A. Liabedzka plans to apply to the Prosecutor's office with the claim to investigate the fact of intrusion into his private life.

On June 8 hearing of the case concerning the fate of the confiscated property of ex-minister of Rural Economy Vasil Liavonaw took place at Kruhlianski Area Court (Mahiliow region). Vasil's Liavonaw summer residence was confiscated on the base of the Supreme Court of the Republic of Belarus decision. In the beginning of May the local state mass media started to publish announcements about sale of the summer residence on auction basis. In these announcements all the buildings at the territory of the summer residence as well as the name of its former owner were mentioned. Later it was found out that not all the buildings were owned by Vasil Liavonaw. One of them, bathhouse, belongs to his daughter, Taciana Bako, and was released from arrest. The summer residence will be soon sold. According to the preliminary information, there are six potential buyers.

On June 9 deputies of so-called House of Representatives of the National Assembly adopted the law «About amnesty to some categories of people who made crimes» proposed by the Government. Now the Investigative Isolators and corrective-labor establishments contain 1,5 times more people than it's allowed by the norms. There are 60 000 people there. The limit is 42 700 people. Half of the imprisoned don't work. The number of prisoners who are ill with infectious diseases, tuberculosis, AIDS increases. Besides, the state spends much money on the prisoners. The law provides that the people who made crimes of no great danger for the society won't be punished by imprisonment and released from some other punishments. According to the prognosis of the Ministry of Internal Affairs about 10 700 people will be released from prisons and colonies during the law realization.

On June 9 the extended sitting of the observing board, which was devoted to the tactics and strategy of the Belarusian Helsinki Committee (BHC) took place. The members of the observing board expressed their discredit to BHC Chairperson Taciana Procka in an open letter: «We are disturbed by the dangerous tendencies in the work of the Head of the BHC that have been recently manifested. These tendencies exceed the power given to her by the organization mandate. This can destroy the whole organization. The Head's behavior discredits the human rights activity and can lead to liquidation of the committee though it is very essential for it to work in the present conditions. Chairman of the BHC makes unforgivable mistakes that made us think whether we have the right to act as if we don't see that the Chairperson disobeys those who elected her. That's why we express our discredit to the Chairperson of the BHC Taciana Procka». Under this open letter there are signatures of Vasil Bykaw, Ryhor Baradulin. Barys Zvoskaw, Iury Khadyka, Liavon Barshchewski, Uladzimir Arlow, Zhana Litvina, Uladzimir Khalip, Iury Khashchavatski, Valiantsin Taraş, Karlas Sherman. At the sitting T. Procka wrote an application for her retirement from the position until the BHC assembly in September 2000.

On June 12 announcement of sentence concerning "Cierliukevich against Zimowski" case was postponed till June 16. The case was initiated on the sue of Vera Cierliukevich, participant of the opposition meeting and procession that had taken place on October 17, 1999, against the program-lead of the TV program "Resonance" Aliaxandr Zimowski for insulting her honor and dignity. The thing is that once Zimowski used a phrase that can be approximately translated as "a group of degenerates" towards the action participants. These words V. Cierliukevich took as an insult and applied to Pershamaiski District Court to protect her honor and dignity. The court directed the words used by Zimowski to K. Krapiva Institute of Linguistics, Ethnography and Folklore for linguistic expertise. The institute answered that suitable experts could be found only at I. Kupala Literature Institute of the National Academy of Sciences. The court ignored this answer and applied to Committee on journalist ethics of the Belarusian Journalist Union. By the way, Mr. Zimowski is a member of this union. So, the committee answered that such words as "a group of degenerates" could be used in certain circumstances, if they are treated as items of vocabulary



On May 30, 2000 hundreds of Miensk citizens came to the underground station «Niamiha» where a year ago a tragedy had happened: trying to hide from rain people created there a terrible press. As a result 53 people perished. Friends and relatives gathered there to commemorate the dead. The orthodox metropolitan Phylaret conducted a prayer for the 53 innocent souls.



used in satire and pamphlets. Moreover, it was said in the committee conclusion that these words do not concern Ms. Cierliukevich because she hadn't thrown stones into the police and hadn't fought with them. But the committee didn't have the competence to conclude whether these words concerned Ms. Cierliukevich or not. Such words in the conclusion can be treated as an attempt to apply pressure on the court.

On June 12 the court sittings were continued at Pershamaiski District Court after the committee conclusion was received. A. Zimowski, having received support from the Journalist Union, kept calm and claimed to immediately announce the court decision. The date of its announcement was transferred only because of absence of Ms. Cierliukevich. Though the exact reasons of her absence are still unknown, some sources say that she was absent because of psychological pressure on her.

At 12 a.m. *on June 13* the sentence on the criminal case of the leader of the Belarusian Social-democratic Party "Narodanaja Hramada" M. Statkevich and the well-known journalist and human rights defender V. Shchukin was to have been announced at Miensk City Court. Representatives of Foreign Councils and human rights organizations, journalists and ordinary people gathered in front of the court building. They found out that the date of the sentence announcement was transferred to June 19. The defendants were informed at 10 a.m., but didn't manage to inform the mass media in time and had to do it at the court entrance. The sentence announcement was postponed to Monday, June 19.

In June members of Miensk organization of the United Civil Party directed an application to Miensk Maskowski District Court. They state that by prohibiting opposition actions Miensk City Executive Committee violates the right of citizens to peaceful assemblies. The nine members of the organization also think that the committee doesn't have any right to transfer the places and change the aims of pickets. For instance, the picket devoted to disappearance of Iury Zakharanka must take place at the place of his disappearance, not in Banhalor Square, as Miensk City Executive Committee «allows». The applicants hope that the trial will be objective and just.

HE DRANK ONLY A GLASS OF WATER...

(continued from page 2)

The police didn't give him any dinner (people are given only dinner at the Isolator of Terminal Keeping). He had only a glass of water given to him by the investigator Alaxandraw. Then he started to have difficulties with concentration and couldn't remember the events that had been taking place. He was sick for several days. After this episode I insisted that biochemical analysis of his blood should be made. The results of the analyses made on August 9 and September 17 show the changes that characterize reactions of liver cells to some harmful factor, for instance, a medical substance. After this, having actually received some ground for my suspicions, I applied to the press. Then the investigator Tserakhnovich accused me of "detraction about usage of psychotropic drugs". That's why he deprived me of the possibility to meet with my husband for half a year. I consider it as an attempt to apply pressure to me because of my application concerning the illegal methods of investigation. I continue to insist that such methods were used against my husband. The evidence the investigation received from him was used to arrest the rector of Homiel Medical University Iury Bandazhewski. It seems to be the main aim of the whole "operation". My husband was Bandazhewski's friend. They studied together the influence of small doses of radiation on the human body. Under Bandazhewski's supervision my husband wrote candidate dissertation and began to write doctor dissertation, too. I think that I. Bandazhewski is persecuted for his position towards the consequences of disaster at Chernobyl Nuclear Power Station. My husband was used here as one of the people who knew Bandazhewski very well. At the end of July my husband directed a letter to the Prosecutor's office, in which he refused from the evidence he had given. But the authorities didn't accept this refusal and on August 4, 1999 gave an accusation to Bandazhewski on the base of this evidence. My husband is the only member of "the group of bribers" (there are 18 of them) who has been kept in the investigative isolator for 10 months already. I didn't have positive answers to my requests to release my husband under a written recognizance not to leave the city. There are very hard conditions in the isolator: It is overcrowded and the food is rather bad. My husband has many chronic illnesses. Though I insisted that instrumental analyses concerning the chronic worsening of his health in the isolator should be made, they weren't.

I think that the investigation keeps my husband in the isolator in order to get his confirmation of his earlier evidence".

On June 4, 2000 Natallia Rawkova found out that on May 26 her husband had gone on a hunger-strike. The Head of Homiel Investigative Isolator said that Rawkow practiced hunger for health improvement and everything was all right.

On June 5 Natallia Rawkova applied to the General Prosecutor's office with the request to admit her to the trial in the capacity of her husband's representative.

Palina SCIEPANIENKA

LIFE OF «VIASNA»

FOUNDATION OF SUPPORT TO VICTIMS OF POLITICAL REPRESSION IN BELARUS WILL BE CREATED IN POLAND

On May 25-27 the conference «From Autocratic to Democratic State» took place. The members of the Human Rights Center «Viasna» Ales Bialacki and Valiancin Stefanovich were present. During his speech on human rights violations in Belarus the Chairman of «Viasna» Ales Bialiatski proposed, that the conference participants, representatives of the Polish NGOs, should create «Foundation of Support to Victims of Political Repression in Belarus». The Polish participants of the conference approved this thought and assured the Belarusian side that they will immediately start creation of the foundation.

BELARUSIAN COURTS DON'T FUNCTION AS THE INDEPENDENT BRANCH OF POWER

On June 3-4 the «Center of Human Rights» organized the conference «Problems of Court Defense of Human Rights in Republic of Belarus», which took place at the Republican Sport Complex «Raubichy».

Representatives of the Supreme Court of the Republic of Belarus, the Constitutional Court of the Republic of Belarus, the Supreme Economical Court, the Police Academy, judges, advocates, teachers of juridical departments of higher educational establishments, human rights defenders participated in the conference.

In their speeches the conference participants criticized the activity of courts in our country. The courts don't function as an independent branch of power, the qualification of judges has considerably decreased for the last few years, the activity of the courts has obvious penal direction, there are many problems with protection of human rights at trials.

Every speaker made his proposals for improvement of the court activity. The conference also worked out a resolution concerning the problems of court protection of human rights. This resolution was directed to mass media, state and non-state bodies.

The members of HRC «Viasna» Barys Hiunter, Ales Danilcyk and Leanarda Muchina actively participated in the work of the conference.

SIARHIEJ PJANYCH:

NON-FREEDOM DAY

NOTES OF THE WITNESS OF THE EVENTS OF MARCH 25, 2000 IN MIENSK

Approximately at 2 p.m. the police started to release the journalists from the hangar. Other people were put into a room, one at a time. Three people in civil clothes with a video camera and several people in uniform were sitting in the room. The man with the video camera asked my name. He also asked me to turn left right. I didn't answer his questions, because he shot me with the camera without my agreement. After this they started to take the people who had passports out of the hangar. Then the guards started to put down people's names for the third time and took the people who had any kinds of documents out of the hangar. I had my driver's license with me, but a police lieutenant said that I would be one of the last ones. In the end about 25 people were left in the hall.

The guards didn't disturb us for some time. I walked in the hangar and asked the officers what we were arrested for. They answered that they hadn't detained us and that we could be free. But the soldiers who stood at the entrance didn't let us out. They said: «It's not allowed». They used these words every time they disliked something in our behavior.

At 5 p.m. a lieutenant colonel appeared in the hangar. We started to ask him what we were kept in the hangar for. The lieutenant colonel named himself Siarhei Tsekaowski and said he personally didn't keep us here. «So, we can be free?» «Yes, please...»

The soldiers and officers parted and we went to the hangar exit. I ran to the lieutenant to take my personal belongings. Suddenly I saw all the arrested people going back. What has happened? They said that they had hardly gone to the gates when the guards, who ran towards them, stopped them. When Anatol Liabedzka expressed his indignation, they started to beat him in kidneys. Later we found out the name of the man who beat him: Andrej Uladzimiravich Fedziakin.

In some time about fifteen people entered the hangar and started to compose reports based on the common sample they had. They often consulted officers. My protocol of route was composed by S.N. Kostsikaw and A.N. Nikitsenka at 6.30 p.m. The protocol of detention ostensibly composed at 12. 20 a.m., was signed by S.N. Kostsikaw, R.V. Lukianaw and A.V. Smirnow.

A police colonel came to Anatol Liabedzka and the correspondent of the independent newspaper «Nasha Svaboda» («Our Freedom») and ordered them to go out of the hall. The guards were waiting for them outside.

The police started to take other people out of the hangar as well. I began to hope that we would be allowed to go home. But the policemen put conditions: one should sign the protocol before he goes home. Otherwise he'll have to spend some days in prison. I wrote that I disagree with the protocol, but will surely come to the court at 9 a.m. on Monday. They didn't believe me and put me into a police car. I was surprised when I saw there some people who had been ostensibly discharged an hour ago. The temperature outside was below 0°C. The floor and the walls of the car were maid of iron. We started to freeze. The policemen put more and more people into the car. An hour passed. We were taken outside of the car, one at a time, and were put back into the hangar. They again filmed us. This time there was a different man with the camera and more policemen in the room.

There's no more fear. One usually fears when his fate is not known. When somebody decided everything for you, you only have to wait. Nothing else can be done...

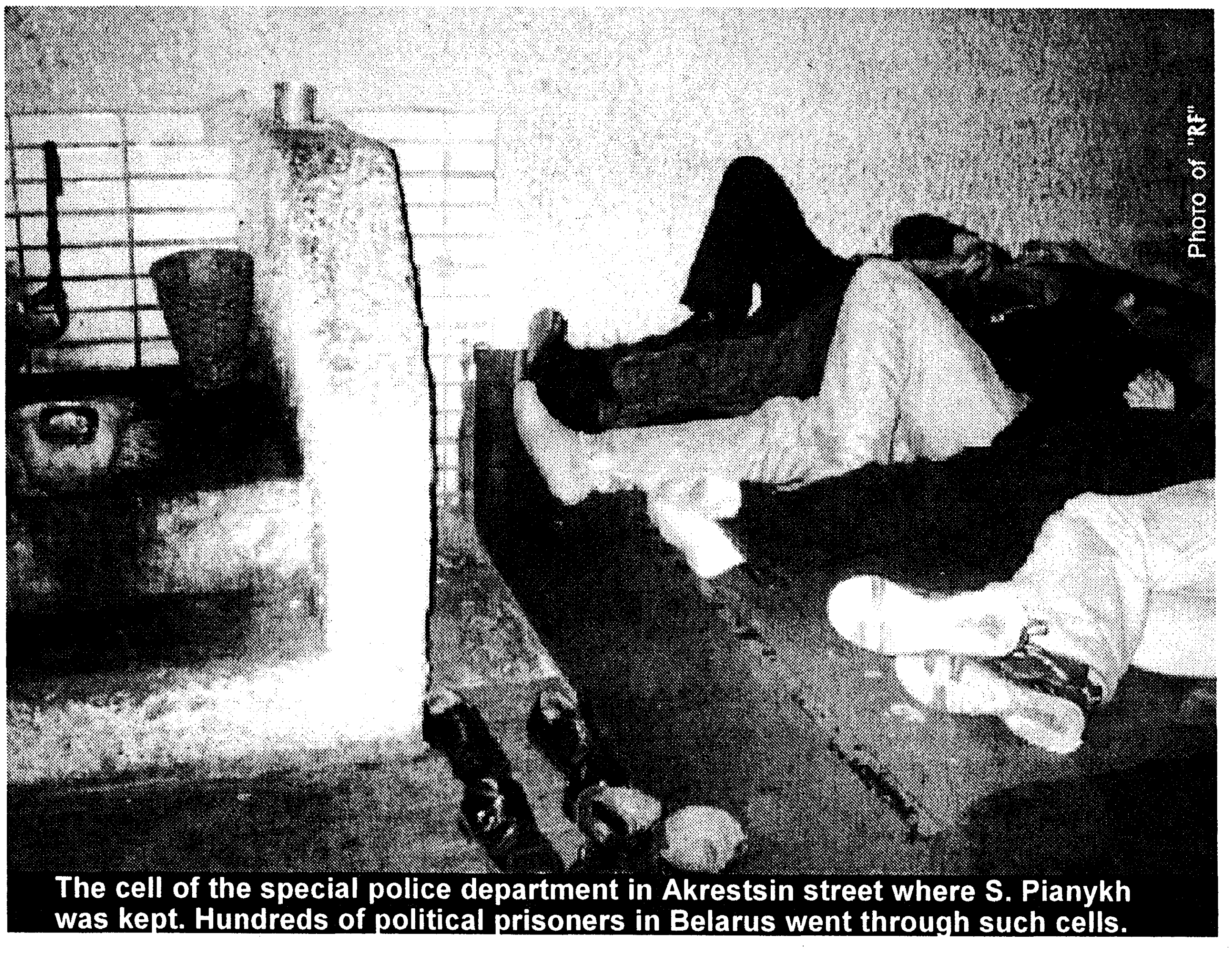
SPECIAL POLICE DEPARTMENT

The police took us to the special police department in Akrestsin Street. They ranked and inspected us, then put into a cell. I should mention that we were detained after 12 a.m. and were on our feet all the time we spent in the hangar. We were very tired. In spite of smell of urine in the cell and the excessive air humidity we lied on the bed to have a rest. In the cell there's one raised platform that is called bed. There is no bedding, it's hard for nine people to lie on it together: the people turn from one side to another on command. But we were very tired...

Approximately in half an hour three fellows and me were taken to the duty policeman. The policeman asked whether we had any admonitions. I wrote in his book that I had been beaten during detention. After this we were led to another cell, where we met other political prisoners – Iuras Belenki, Iawhen Lemesh, Iury Barok, etc.

(To be continued)

(Continuation. Begins in No.10)



The cell of the special police department in Akrestsin street where S. Pianykh was kept. Hundreds of political prisoners in Belarus went through such cells.

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